

# CONSTITUTION OF THE LUTHERAN CHURCH—MISSOURI SYNOD

## Preamble

### Reason for the Forming of a Synodical Union

1. The example of the apostolic church. Acts 15:1–31.
2. Our Lord's will that the diversities of gifts should be for the common profit. 1 Cor. 12:4–31.

## Article I Name

The name of the synod organized under this constitution shall be: The Lutheran Church—Missouri Synod.

## Article II Confession

The Synod, and every member of the Synod, accepts without reservation:

1. The Scriptures of the Old and the New Testament as the written Word of God and the only rule and norm of faith and of practice;
2. All the Symbolical Books of the Evangelical Lutheran Church as a true and unadulterated statement and exposition of the Word of God, to wit: the three Ecumenical Creeds (the Apostles' Creed, the Nicene Creed, the Athanasian Creed), the Unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles, the Large Catechism of Luther, the Small Catechism of Luther, and the Formula of Concord.

## Article III Objectives

The Synod, under Scripture and the Lutheran Confessions, shall—

1. Conserve and promote the unity of the true faith (Eph. 4:3–6; 1 Cor. 1:10), work through its official structure toward fellowship with other Christian church bodies, and provide a united defense against schism, sectarianism (Rom. 16:17), and heresy;
2. Strengthen congregations and their members in giving bold witness by word and deed to the love and work of God, the Father, Son, and Holy Spirit, and extend that Gospel witness into all the world;
3. Recruit and train pastors, teachers, and other professional church workers and provide opportunity for their continuing growth;
4. Provide opportunities through which its members may express their Christian concern, love, and compassion in meeting human needs;
5. Aid congregations to develop processes of thorough Christian education and nurture and to establish agencies of Christian education such as elementary and secondary schools and to support synodical colleges, universities, and seminaries;
6. Aid congregations by providing a variety of resources and opportunities for recognizing, promoting, expressing, conserving, and defending their confessional unity in the true faith;

7. Encourage congregations to strive for uniformity in church practice, but also to develop an appreciation of a variety of responsible practices and customs which are in harmony with our common profession of faith;
8. Provide evangelical supervision, counsel, and care for pastors, teachers, and other professional church workers of the Synod in the performance of their official duties;
9. Provide protection for congregations, pastors, teachers, and other church workers in the performance of their official duties and the maintenance of their rights;
10. Aid in providing for the welfare of pastors, teachers, and other church workers, and their families in the event of illness, disability, retirement, special need, or death.

### **Article IV Powers**

The Synod in convention is empowered to and has formed corporate entities which shall have legal powers:

1. To purchase, hold, administer, and sell property of every description in the interest of the Synod;
2. To accept, hold, administer, and, if deemed advisable, dispose of legacies, donations, commercial papers, and legal documents of every description in the interest of its work.

### **Article V Membership\***

Membership in the Synod is held and may be acquired by congregations and individuals, ministers of religion—ordained and ministers of religion—

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\* Should the congregations of the Synod decline to ratify the constitutional amendment of Res. 9-05 (see *Handbook* preface), Const. Art. V will continue to read:

#### **Article V Membership**

Membership in the Synod is held and may be acquired by congregations, ministers of religion—ordained and ministers of religion—commissioned, such as teachers, directors of Christian education, directors of Christian outreach, directors of family life ministry, directors of parish music, deaconesses, parish assistants, and certified lay ministers of the Evangelical Lutheran Church who confess and accept the confessional basis of Article II.

#### **A. Voting Members**

All organized congregations that have joined the Synod hold voting membership. At the meetings of the districts of the Synod every congregation or parish is entitled to two votes, one of which is to be cast by the pastor and the other by the lay delegate. At the meetings of the Synod a number of congregations shall form a group which shall be represented by two voting delegates, one a pastor and one a lay delegate.

#### **B. Advisory Members**

Advisory members only are the following:

1. Pastors whose congregations do not hold membership in the Synod
2. Ministers not in charge of congregations
3. Professors at the Synod's educational institutions
4. Teachers of the Evangelical Lutheran Church
5. Directors of Christian education
6. Directors of Christian outreach
7. Directors of family life ministry
8. Directors of parish music
9. Deaconesses
10. Parish assistants
11. Certified lay ministers
12. Candidates for the office of the ministry, for that of a teacher of the Evangelical Lutheran Church, for director of Christian education, for director of Christian outreach, for director of family life ministry, for director of parish music, for deaconess, for certified lay minister, or for parish assistant

commissioned, of the Evangelical Lutheran Church who confess and accept the confessional basis of Article II.

#### **A. Voting Members**

All organized congregations that have joined the Synod hold voting membership.

#### **B. Individual Members**

Individual members of the Synod, who are non-voting except for those pastors exercising the vote of a member congregation or congregations, are the following:

1. Pastors, ordained ministers, called and installed to a member congregation
2. Pastors, ordained ministers, whose congregations do not hold membership in the Synod
3. Ordained ministers, not called and installed to a congregation, serving in a capacity recognized in the Bylaws of the Synod
4. Commissioned ministers equipped for service in an auxiliary office of ministry designated in, and serving in a capacity recognized by, the Bylaws of the Synod
5. Candidates for the office of the ministry, ordained ministers, or for an auxiliary office, commissioned ministers, having formerly been installed to a first call within the Synod
6. Emeriti of the office of the ministry, ordained ministers, or of an auxiliary office, commissioned ministers.

### **Article VI Conditions of Membership**

Conditions for acquiring and holding membership in the Synod are the following:

1. Acceptance of the confessional basis of Article II.
2. Renunciation of unionism and syncretism of every description, such as:
  - a. Serving congregations of mixed confession, as such, by ministers of the church;
  - b. Taking part in the services and sacramental rites of heterodox congregations or of congregations of mixed confession;
  - c. Participating in heterodox tract and missionary activities.
3. Regular call of pastors and any commissioned ministers and regular election of lay delegates by the congregations, as also the blamelessness of the life of such.\*
4. Exclusive use of doctrinally pure agenda, hymnbooks, and catechisms in church and school.
5. A congregation shall be received into membership only after the Synod has convinced itself that the constitution of the congregation, which must be

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\* Should the congregations of the Synod decline to ratify the constitutional amendment of Res. 9-05 (see *Handbook* preface), Const. Art. VI 3 will continue to read:

3. Regular call of pastors, teachers, directors of Christian education, directors of Christian outreach, directors of family life ministry, directors of parish music, deaconesses, certified lay ministers, and parish assistants and regular election of lay delegates by the congregations, as also the blamelessness of the life of such.

submitted for examination, contains nothing contrary to the Scriptures or the Confessions.

6. Ordained and commissioned ministers or candidates for these offices not coming from recognized orthodox church bodies must submit to a colloquium before being received.\*
7. Congregations and individuals shall be received into membership at such time and manner, and according to such procedures, as shall be set forth in the bylaws to this Constitution.

### **Article VII Relation of the Synod to Its Members**

1. In its relation to its members the Synod is not an ecclesiastical government exercising legislative or coercive powers, and with respect to the individual congregation's right of self-government it is but an advisory body. Accordingly, no resolution of the Synod imposing anything upon the individual congregation is of binding force if it is not in accordance with the Word of God or if it appears to be inexpedient as far as the condition of a congregation is concerned.
2. Membership of a congregation in the Synod gives the Synod no equity in the property of the congregation.

### **Article VIII Synodical Meetings**

#### **A. Time and Legality of Meetings**

1. The Synod convenes every three years for its regular meeting.
2. For a legal convention a constitutional convocation of the meeting and the presence of at least one-fourth of the constitutionally elected voting representatives are necessary.

#### **B. Special Sessions of the Synod**

1. The Synod may under circumstances call a special session if two-thirds of the voting representatives present so decide.
2. In cases of urgent necessity a special session may be called by the President with the consent of two-thirds of the district presidents or by three-fourths of the district presidents without the consent of the President; however, all congregations and other members of the Synod must be notified 30 days in advance and told for what purpose this extra meeting is being convened.

#### **C. Resolutions at Synodical Meetings**

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\* Should the congregations of the Synod decline to ratify the constitutional amendment of Res. 9-05 (see *Handbook* preface), Const. Art. VI 6 will continue to read:

6. Pastors, teachers, directors of Christian education, directors of Christian outreach, directors of family life ministry, directors of parish music, deaconesses, certified lay ministers, or candidates for these offices not coming from recognized orthodox church bodies must submit to a colloquium before being received.

All matters of doctrine and of conscience shall be decided only by the Word of God. All other matters shall be decided by a majority vote. In case of a tie vote the President may cast the deciding vote.

### **Article IX Representation \***

The synodical meetings are composed of regularly elected and delegated representatives and of certain individual persons, as specified in the Bylaws, to wit:

1. Representatives of congregations, entitled to vote. A number of congregations shall form a group which shall be represented by two voting delegates, one a pastor and one a lay delegate.
2. Advisory representatives of such individual members as are ineligible to represent congregations as voting delegates and ineligible to represent other entities or offices in the Synod as advisory representatives.
3. Advisory representatives of boards, commissions, and educational institutions and such as by virtue of their office are required to attend the Synod.

### **Article X Officers**

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The officers of the Synod are:

1. A President
2. Vice-presidents, in line of succession, as prescribed by the Bylaws
3. A Secretary
4. A Board of Directors
5. Other officers, as specified in the Bylaws

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1. The President, the vice-presidents, and the Secretary must be ministers of religion—ordained of The Lutheran Church—Missouri Synod and, like other officers and the members of the Board of Directors, members of voting congregations.
2. The time of service of all officers, boards, and commissions shall be fixed by the Bylaws of the Constitution of the Synod.
3. Any officer or any member of any board or commission ceases to be an officer of the Synod or a member of any board or commission as soon as he ceases to be a member of a congregation affiliated with the Synod.

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\* Should the congregations of the Synod decline to ratify the constitutional amendment of Res. 9-05 (see *Handbook* preface), Const. Art. IX will continue to read:

The synodical meetings are composed of regularly elected and delegated representatives and of certain individual persons, as specified in the Bylaws, to wit:

1. Representatives of congregations, entitled to vote
2. Advisory representatives of the advisory members of the Synod
3. Advisory representatives of boards, commissions, and educational institutions and such as by virtue of their office are required to attend the Synod

## **Article XI Rights and Duties of Officers**

### **A. In General**

1. The officers of the Synod must assume only such rights as have been expressly conferred upon them by the Synod, and in everything pertaining to their rights and the performance of their duties they are responsible to the Synod.
2. The Synod at all times has the right to call its officers to account and, if circumstances require it, to remove them from office in accordance with Christian procedure.
3. The Synod reserves the right to abolish any office it has established.
4. Conventions of the Synod and of the districts have the right, in extraordinary cases, to elect a chairman other than the regular presiding officer.

### **B. Duties of the President**

1. The President has the supervision regarding the doctrine and the administration of
  - a. All officers of the Synod;
  - b. All such as are employed by the Synod;
  - c. The individual districts of the Synod;
  - d. All district presidents.
2. It is the President's duty to see to it that all the aforementioned act in accordance with the Synod's Constitution, to admonish all who in any way depart from it, and, if such admonition is not heeded, to report such cases to the Synod.
3. The President has and always shall have the power to advise, admonish, and reprove. He shall conscientiously use all means at his command to promote and maintain unity of doctrine and practice in all the districts of the Synod.
4. The President shall see to it that the resolutions of the Synod are carried out.
5. When the Synod meets in convention the President shall give a report of his administration. He shall conduct the sessions of the convention so that all things are done in a Christian manner and in accord with the Constitution and Bylaws of the Synod.
6. It is the duty of the President, or an officer of the Synod appointed by the President, to be present at the meetings of the districts, to advise them, and to report at the next session of the Synod.
7. The President shall perform all additional duties assigned to him by the Bylaws or by special resolution of the Synod in convention.
8. When matters arise between meetings of the Synod in convention which are of such a nature that action thereon cannot be delayed until the next convention, the President is authorized to submit them to a written vote of the member congregations of the Synod only after full and complete information regarding the matter has been sent to member congregations by presidential letter and has been published in an official periodical of the Synod. If such matters are related to the business affairs of the Synod, such a vote shall be conducted only after the President has consulted with the synodical Board of Directors. In all cases at least one-fourth of the member congregations must register their vote.

**C. Duties of the Vice-Presidents**

1. The vice-presidents shall upon request of the President represent him in all his functions.
2. In case of the disability, the deposition from office, or the death of the President, the vice-presidents, in the order of their rank of office, advance to the President's place, with full power, until the expiration of his term of office.

**D. Duties of the Secretary**

The Secretary shall

1. Record the proceedings when the Synod meets in convention;
2. Perform such other work as the Synod may assign to him through the Bylaws or special resolutions of the Synod.

**E. Composition and Duties of the Board of Directors**

1. The Board of Directors shall consist of not fewer than seven voting members, to wit: the President, the Secretary, one pastor, and four laymen. The First Vice-President shall be a nonvoting member.
2. The Board of Directors is the legal representative and custodian of all the property of The Lutheran Church—Missouri Synod, directly or by its delegation of such authority to an agency of the Synod. It shall exercise supervision over all property and business affairs of The Lutheran Church—Missouri Synod except in those areas where it has delegated such authority to an agency of the Synod or where the voting members of the Synod through the adoption of bylaws or by other convention action have assigned specific areas of responsibility to separate corporate or trust entities, and as to those the Board of Directors shall have general oversight responsibility as set forth in the Bylaws. For the purposes of this article, The Lutheran Church—Missouri Synod includes both the Synod formed by this Constitution and the Missouri corporation formed by the Synod.

**Article XII Districts of the Synod and Their Regulation**

1. The Synod is divided into districts, the geographical boundaries of which are determined by the Synod and are altered by it according to circumstances.
2. This Constitution is also the constitution of each district of the Synod; however, each district is at liberty to adopt such bylaws and pass such resolutions as it deems expedient for its conditions, provided that such bylaws and resolutions do not conflict with the Constitution and the Bylaws of the Synod.
3. The officers of the districts are:
  - a. A district president
  - b. District vice-presidents as the Bylaws prescribe
  - c. As many circuit visitors as each district may determine upon
  - d. A district secretary
  - e. A district treasurer, who may be elected by the district convention or appointed in such manner as the district may prescribe

4. Additional officers, boards, and commissions are elected by the districts as they are required for the execution of the business of the districts.
5. The election and time of service of the district officers shall be determined by the Bylaws of the Constitution of the Synod.
6. All officers of the districts have the same rights and duties as those outlined in this Constitution for the officers of the Synod but only insofar as these apply to the district and only within the boundaries of their districts.
7. The district presidents shall, moreover, especially exercise supervision over the doctrine, life, and administration of office of the ordained and commissioned ministers of their district and acquaint themselves with the religious conditions of the congregations of their district. To this end they shall visit and, according as they deem it necessary, hold investigations in the congregations. Their assistants in this work are the circuit visitors, who therefore shall regularly make their reports to the district president.
8. District presidents are empowered to suspend from membership ordained and commissioned ministers for persistently adhering to false doctrine or for having given offense by an ungodly life, in accordance with such procedure as shall be set forth in the Bylaws of the Synod.
9. Furthermore, the district presidents shall
  - a. See to it that all resolutions of the Synod which concern the districts are made known to the districts and are carried out by them;
  - b. Submit an annual report of their administration to the President of the Synod and, in general, permit him to obtain all necessary insight into their official activities as district presidents;
  - c. Perform, either in person or by proxy, the ecclesiastical ordination of the candidates for the ministry assigned to their districts, the commissioning of the candidates for the auxiliary offices assigned to their districts, and the installation of all ministers, ordained or commissioned, called to serve within their districts;\*
  - d. Sign all examination papers and certificates of ordination and, in general, all official papers and documents of their district.
10. The meetings of the districts of the Synod are composed of the following:
  - a. **Voting Delegates**

Every member congregation or multi-congregation parish is entitled to two votes, one of which is to be cast by its pastor and the other by the lay delegate elected and deputed by the congregation or parish.
  - b. **Advisory Delegates**

Advisory delegates are all commissioned ministers, and those ordained ministers not presently serving as voting representatives of congregations, who are members of the Synod within the district. In

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\* Should the congregations of the Synod decline to ratify the constitutional amendment of Res. 9-05 (see *Handbook* preface), Const. Art. XII 9 c will continue to read:

- c. Perform, either in person or by proxy, the ecclesiastical ordination of the candidates for the ministry assigned to their districts and the installation of such, as well as the installation of the candidates for the office of schoolteacher and of all ministers and teachers called by the congregations in their districts;



addition, a congregation that is part of a multi-congregation parish, other than the congregation supplying the voting lay delegate, may elect and depute an advisory lay delegate.\*

11. The districts, when legally incorporated, are represented before the State by a board of directors composed of the president, the secretary, and the treasurer of the district, which board, however, may be constituted otherwise.
12. The districts are independent in the administration of affairs which concern their district only, it being understood, however, that such administration shall always serve the interests of the Synod.
13. The regular sessions of the districts are held in the year immediately preceding the general convention of the Synod. Only the Synod has the right to make an exception to this rule.
14. For the legal holding of the sessions of the districts a constitutional convocation of such sessions and the presence of at least one-third of the voting members represented by at least one of their respective representatives (pastor or lay delegate) are required.
15. In cases of urgent necessity the district president is empowered to convene special sessions of his district; he must, however, previously have obtained consent of at least a majority of the voting members of the district after having informed them and the President of the Synod of the purpose of the intended special session.

### **Article XIII Expulsion from the Synod**

1. Members who act contrary to the confession laid down in Article II and to the conditions of membership laid down in Article VI or persist in an

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\* Should the congregations of the Synod decline to ratify the constitutional amendment of Res. 9-05 (see *Handbook* preface), Const. Art. XII 10 will continue to read:

10. The meetings of the districts of the Synod are composed of the following:

#### **A. Voting Representatives**

The pastors of such congregations as hold voting membership in the Synod and the lay delegates elected and deputed by these congregations shall be voting representatives.

#### **B. Advisory Members**

Advisory members are:

- a. Pastors whose congregations do not hold membership in the Synod
- b. Ministers not in charge of congregations
- c. Professors at the Synod's educational institutions
- d. Teachers of the Evangelical Lutheran Church
- e. Directors of Christian education
- f. Directors of Christian outreach
- g. Directors of family life ministry
- h. Directors of parish music
- i. Deaconesses
- j. Parish assistants
- k. Certified lay ministers
- l. Candidates for the office of the ministry, for that of a teacher of the Evangelical Lutheran Church, for director of Christian education, for director of Christian outreach, for director of family life ministry, for director of parish music, for deaconess, for certified lay minister, or for parish assistant.

offensive conduct, shall, after previous futile admonition, be expelled from the Synod.

2. Expulsion shall be executed only after following such procedure as shall be set forth in the Bylaws of the Synod.
3. If the member expelled is an ordained or commissioned minister serving\* a congregation of the Synod, such congregation, unless it has already done so, is held to depose him from office and to deal with him in accordance with the Word of God, notwithstanding an appeal. If it persistently refuses to do so, the respective district is to deal with it. If all negotiations and admonitions fail of their purpose, such congregation forfeits its membership in the Synod.
4. Because of their expulsion those so expelled forfeit their membership and all share in the property of the Synod. The latter holds good also with respect to those who for any reason themselves sever their connection with the Synod.

#### **Article XIV Bylaws**

The Synod in convention may adopt bylaws that are consistent with and do not contradict the Constitution of the Synod, which controls and supersedes such bylaws and all other rules and regulations of the Synod. Bylaws, which may be adopted, revised, or eliminated by a simple majority vote of a national convention, are binding regulations for the Synod and its conduct and governance.

#### **Article XV Changes in, and Amendments to, the Constitution**

1. Changes in the Constitution and amendments thereto may be made provided they do not conflict with the provisions laid down in Article II and in Article VI.
2. All proposed changes and amendments must be submitted in writing to the Synod assembled in convention, and each proposed change shall be voted on separately. A two-thirds majority of all votes cast shall be necessary for adoption.
3. After adoption by the convention such amendments shall be submitted to the congregations of the Synod by means of three announcements in the official periodical within three months after the close of the convention.
4. Amendments to the Constitution of the Synod shall be submitted directly to each voting congregation of the Synod on an official ballot, and the congregations shall by official action express their affirmative or negative vote and indicate the same to the Secretary of the Synod on this official ballot. The proposed amendment shall become effective at the expiration of six months from the date on which the amendment is submitted for vote, provided a two-thirds majority of the votes cast within that period shall have favored the amendment. At the end of the six-month period the Secretary of the Synod shall announce the outcome of the voting by districts in the official periodical of the Synod.

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\* Should the congregations of the Synod decline to ratify the constitutional amendment of Res. 9-05 (see *Handbook* preface), Const. Art. XIII will continue to read: "**If the member expelled is a pastor or teacher in...**"